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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number	10/606,679
Filing Date	June 26, 2003
First Named Inventor	Hayhurst, et. al.
Art Unit	3672
Examiner Name	Tsay
Attorney Docket Number	AHAYH.0101C

ENCLOSURES (Check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form
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<input type="checkbox"/> Amendment/Reply
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<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
(1) Power of Attorney by Assignee
(2) Statement Under 37 CFR 3.73 (b) |
|---|---|---|

Remarks
(3) Postcard Acknowledgment.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Scott L. Harper

Signature

Date

May 10, 2004

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Beatrice Zepeda

Signature

Date

May 10, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: John Hayhurst, et. al.	§	GROUP ART UNIT: 3672
	§	
FILED: June 26, 2003	§	
	§	
INVENTION: Method for Enhancing Gas	§	
Well Secondary Recovery	§	
Operations	§	EXAMINER: Frank Tsay
	§	
SERIAL NO.: 10/606,679	§	ATTY FILE: AHAYH.0101C

POWER OF ATTORNEY BY ASSIGNEE

Under the provisions of 37 C.F.R. §§ 3.71 and 3.73(b), the undersigned assignee of record of the entire right, title and interest in the above-identified patent/patent application by virtue of an assignment recorded (check as applicable)

☒ **Concurrently Herewith**
☐ Date Recorded:
☐ Reel Frame

elects to conduct the prosecution of the application/maintenance of the patent to the exclusion of the named inventor(s). The undersigned hereby declares that John Hayhurst is an officer of Assignee and has reviewed the above-referenced assignment and hereby declares that, to the best of his knowledge, title is in the Assignee, VITECH HOLDINGS, L.P., and further declares that all statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true. The Assignee hereby revokes any previous powers of attorney and appoints the following to prosecute the application, maintain this patent and transact all business in the Patent and Trademark Office connected therewith: Colin P. Cahoon, Registration No. 38,836; David W. Carstens, Registration No. 34,134; Vincent J. Allen, Registration No. 45,514; Jeffrey G. Degenfelder, Registration No. 44,647; Scott L. Harper, Registration No. 45,783.

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Dallas, TX 75380

Direct telephone calls to:

Scott L. Harper
at (972) 367-2001

Attorney Docket:

ALAYH.0101C

ASSIGNEE:

VITECH HOLDINGS, L.P.

Date:

4.30.04

By:


Name: John Hayhurst

Title: President of

VITECH HOLDINGS, INC.



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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: John Hayhurst, et. al.

Application No./Patent No.: 10/809,879 Filed/Issue Date: June 28, 2003

Entitled: Method for Enhancing Gas Well Secondary Recovery Operations

Vilash Holdings, LP is Texas Limited Partnership
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest, or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
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The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

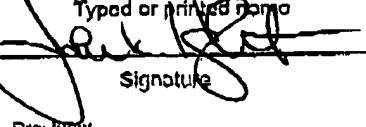
☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

4.30.04
Date
(808) 353-1609
Telephone number

John Hayhurst
Typed or printed name

Signature

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggest ideas for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEE OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ASSIGNMENT

WHEREAS, we, **John Hayhurst**, a citizen of the United States of America, residing at 3000 Harmony, Amarillo, Texas 79106, and **Brian Holt**, a citizen of the United States of America, residing at 12075 County Road 20, Spearman Texas, 75149, are the inventors of the patent application entitled "Method For Enhancing Gas Well Secondary Recovery Operations," which was filed on June 26, 2003, with the United States Patent Office and which was assigned U.S. Serial No. 10/606,679 (the "Application"); and

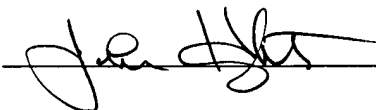
WHEREAS, **Vitech Holdings, L.P.**, a Texas limited partnership, with a place of business at 3000 Harmony, Amarillo, Texas 79106, is desirous of obtaining the entire right, title and interest in, to and under the said invention and the said Application;

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, **John Hayhurst** and **Brian Holt**, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto **Vitech Holdings, L.P.**, its successors, legal representatives and assigns, the entire right, title and interest in, to and under the said invention, said Application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all applications for Letters Patent which may hereafter be filed for said invention in any country or countries foreign to the United States, and all Letters Patent which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof and all rights of priority in any such country or countries based upon the filing of the said application for Letters Patent of the United States which are created by any law, treaty or international convention; and, we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said invention to **Vitech Holdings, L.P.**, its successors, legal representatives and assigns, in accordance with the terms of this instrument.


AND WE HEREBY covenant that we have full right to convey the entire interest herein assigned, and that we have not executed, and will not execute, any agreement in conflict herewith.

AND WE HEREBY further covenant and agree that we will communicate to **Vitech Holdings, L.P.**, its successors, legal representatives and assigns, any facts known to us respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid **Vitech Holdings, L.P.**, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said invention in all countries.

IN TESTIMONY WHEREOF, we hereunto set our hands and seals the day and year set opposite our respective signatures.

Date: 4-30-04 2004 

John Hayhurst

Date: 4-30-04 2004 
Brian Holt